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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/396,702	09/15/1999	ANOOP GUPTA	MS1-302US	7828
22801	7590	03/29/2005	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			MOFIZ, APU M	
			ART UNIT	PAPER NUMBER
			2165	

DATE MAILED: 03/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/396,702

Applicant(s)

GUPTA ET AL.

Examiner

Apu M Mofiz

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6,12,13 and 28-91 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,12,13 and 28-91 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Applicant's Remarks***

1. In response to applicant's remarks, all previously presented rejections of claims are hereby withdrawn as to being moot.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-6,12-13 and 28-91 are rejected under 35 U.S.C. 102(a) as being anticipated by Chen et al. (Video and Audio: Organization and Retrieval in the WWW, Vosaic corporation, 1996 and Chen hereinafter).

As to claims 1-6,12-13 and 28-91, Chen teaches receiving an indication of a plurality of annotations (i.e., "The meta-information encompasses the inherent properties of the media, hierarchical information, semantic description, as well as annotations that provide support for hierarchical access, browsing, searching, and dynamic composition of continuous media.") (page 3) selected by a user, wherein each of the plurality of annotations (page 3) corresponds to a media stream or to one or more media streams (i.e., a movie (i.e., audio and video)) (page 7); presenting a plurality of annotation identifiers (i.e. the hierarchical indexes in Figure 4) to the user; allowing the ordering of the plurality of annotation identifiers to be changed by the user (i.e. "The continuous media

model also allows dynamic composition. A video presentation can use parts of existing movies as components. For example, a presentation of Urbana-Champaign can be a video composed of several segment from other movies. As shown in Figure 7, the campus overview segment can be used in the composition.” ... “An authoring tool is being implemented to assist in creating compositions.” The preceding text excerpts and figure 4 and figure 7, clearly indicates that the movie is organized by metadata (e.g., hierarchical annotated labels/indexes). User can compose another movie by inserting parts of another movie and hence reorganizing/ reordering the annotated labels and also the sequence of clips in a movie. The tool provides a graphical way of manipulating the composition of a continuous media, e.g., movie by the user. The dragging and dropping is an inherent capabilities of any contemporary graphical tool.) (page 3; page 7; page 11; page 14); seamlessly (i.e., “The goal of Vosaic project[4] is to seamlessly integrate the organization, retrieval and navigation of continuous media into the World Wide Web.”) (page 2) providing one or more of , the plurality of annotations, and at least a portion of the media stream (page 7) corresponding to each of the plurality of annotations (page 3; page 7; page 11; page 14); wherein seamlessly (page 2) providing comprises seamlessly (page 2) providing the one or more of the plurality of annotations and the portions of the media stream (page 7) corresponding to each of the plurality of annotations in an order defined by the order of the plurality of annotation identifiers (page 3; page 7; page 11; page 14).


#### ***Points of Contact***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Apu M. Mofiz whose telephone number is (571) 272-4080. The examiner can normally be reached on Monday – Thursday 8:00 A.M. to 4:30 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached at (571) 272-4083. The fax numbers for the group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.



Apu M. Mofiz  
Patent Examiner  
Technology Center 2100

February 07, 2005